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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/602,588

Applicant(s)

ROLLENDER, DOUGLAS H.

Examiner

INDER P. MEHRA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-28 and 31 is/are allowed.
- 6) ☒ Claim(s) 1-12, 29, 30 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to amendment dated: 11/3/2009. Based on this amendment, claims 1-32 are pending. Claims 1 and 32 have been amended.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-12, 29-30 and 32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.:

Refer to claim 1, lines 5-6. Limitation "the second portion not being identification number of a user" is not supported by specifications. Paragraphs [0029-0031], as quoted and reproduced by applicant, do not teach this limitation. This limitation in claims 1 and 32 pertains to "forming a modified expanded second permanent identifier having a second identifier portion and expanded portion----". in which case, please, refer to paragraph [0030], wherein specification discloses, "The first portion of the modified expanded second permanent identifier includes the pre-established code to trigger the expanded second permanent identifier, and the second portion includes an identification

number as did the conventional expanded second permanent identifier" which includes data from the end user 2. Accordingly, first portion includes the pre-established code to trigger the expanded second permanent identifier, and the second portion includes an identification number as did the conventional expanded second permanent identifier". It includes data from end user 2, but normally includes another identification number.

In addition to these paragraphs, refer to paragraphs [0018-0019], wherein specification discloses in para: [0018] -----"The expanded portion of the expanded permanent identifier includes data, and another portion thereof, associated in some manner with the end user, serves to identify the end user, see para: [0018]. Essentially, data from end user identifies end user. Limitation claimed by applicant, such as, "the second portion not being identification number of a user" is not supported by specifications. "A communication device in the mobile communication system used by the end user sends the expanded permanent identifier and the first permanent identifier, both destined for the home system. It amplifies the fact that data sent by end user essentially identifies end user.

Further, paragraph [0019] discloses, "Based on the expanded permanent identifier, a home system can recognize the end user associated with a received first and expanded permanent identifier pair, and at least in accordance with this recognition, sends the first and expanded permanent identifier to destination entity (human, system or machine). The destination entity extracts the data from the first and expanded permanent identifier".

Paragraph [0031] discloses, "And, when the EESN is the expanded second permanent identifier, the modified EESN has the format given below:

$$\text{EESN (56 bits)} = \text{ESN (32 bits)} + \text{ESN-expansion (24 bits)}$$

ESN (32 bits) = manufacturer's code of 128 (8 bits) + identification. In other words, limitation "second portion not being identification number" is not supported by specification.

In response, examiner, further, states that Willey discloses "modifier called Decorr to IMSI, refer to col. 13 lines 3-7. Note: IMSI is the first permanent identifier (refer to paragraph 0009 of specification of instant application.

Appropriate correction/clarification is required.

Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35 U.S.C.

103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-12, 29-30 and 32, are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art of instant application, hereinafter, APA in view of Non Patent Literature (Mobile IP by James D. Solomon, 1998 Prentice Hall PTR, Prentice Hall, Inc., pages 54-56, dated 9/5/1997), hereinafter, Solomon, and, Willey (US Patent No. 6,505, 058), hereinafter, Willey. further, in view of Billstrom (US Patent No. 5,729,537), henceforth, Billstorm.

For claim 1, APA discloses, a method of transferring data in mobile communication system, (APA teaches in reference to fig. 1 (Prior Art) and paragraphs 0008-0016, a system and process to transfer data in mobile communication system by opening a traffic channel to the destination entity, paragraph 0016); comprising:

receiving data in a communication device, the receiving data to be transferred to a destination entity; (data is supplied by end user 2 is received by SS12 (Base Station or MSC) and first communication device 4 and transferred to destination entity 6, refer to fig. 1, paragraph 0016);

forming --- including a first portion includes routing information to a home system and a second portion that includes one portion of the received data and the second portion not being an identification number of a user" (APA discloses first permanent identifier including first portion as routing information to a home system, such as mobile country code (MCC) and mobile network code (MNC), paragraphs 0008-0009, this first portion of identifier does not use identification, rather location or region identification,

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and second portion identifies end user 2 to home system 16, paragraph 0008). Note: Applicant claims "portion of received data" as part of first permanent identifier in addition to routing information to home system. Applicant does not specify type of data, (Electronic Serial Number, see specification APA para: [0010]; or MSIN (Mobile Station identification number assigned to end user, see specification APA paragraph: [0009]. Thus data is generic (broad definition) without type having been specified by applicant. Identification number of end user 2, as disclosed by APA in paragraph 0008 is a type of data in addition to routing information). Note: any data other than end user's ESN or MSIN, is disclosed by Billstrom, col. 1 lines 23-28, as follows);

However, Solomon (published on 9/15/1997) teaches "receiving data", per se, in addition to header information, (which is standard) as explained below separately:

forming a modified expanded second permanent identifier having a second permanent identifier portion (different from conventional counterpart, see specification, para: [0028]), and an expanded portion, the expanded portion including a second portion of the received data; --- (APA discloses expanded second permanent identifier, paragraph 0011, including three portion. The first two portions are the second permanent identifier, as claimed, such as electronic serial number of mobile communication device 4, which is permanent identifier), paragraph 0013, and third portion represents unexpanded portion of second permanent identifier, which is associated with communication device 4 or being used by the end user 2, paragraphs 0010-0011. Note: Applicant claims "portion of receiving data" as part of expanded second permanent identifier in addition to second permanent identifier portion. This

limitation (data) is the same as part of first permanent identifier. Applicant does not specify type of receiving data again, thus receiving not specific data is generic without type. APA discloses third identification number as expanded portion of expanded second permanent identifier, paragraph 0012.

However, Solomon teaches 'receiving data', per se, in addition to header information, (which is standard) as explained below separately:

sending, from a communication device, at least the first permanent identifier and the expanded second permanent identifier. (APA discloses, communication device 4 connected to the service system 12, fig. 1, provides both first and expanded permanent identifiers to home system 16 to validate end user 2, paragraphs 0014-0015).

Solomon teaches receiving data (payload) in addition to routing information (header providing IP address) , virtual link (routing information) to Home Agent, page 54.

APA in view of Soloman does not teach the following limitation, which is disclosed by Willey, as follows:

"modified first permanent identifier---".(Willey discloses "modifier called Decorr, col. 13 lines 3-7).

APA in view of Soloman and Willey does not teach the following limitation, which is disclosed by Billstrom, as follows:

the expanded portion not being an identification number of the user (Billstrom teaches communication of data to or from the communication station is effectuated without necessitating that the communication station be uniquely identified with a

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permanent identifier unique to the communication station (same as not being identification information associated with the mobile communication system), refer to col. 1 lines 23-28).

It would have been obvious to the person of ordinary skill in the art at the time of the invention was made to use the receiving address as portion of first permanent identifier and expanded permanent identifier, as taught by APA and Solomon respectively. The receiving data could be implemented by incorporating receiving identifier into first and expanded permanent identifiers. The motivation for using this capability would have been to transmit data more efficiently than lengthy process of requesting and establishing a traffic channel.

Further, it would have been obvious to modify APA in view of Solomon and Willey's system by limitation, "the expanded portion not being an identification number of the user", as taught by Billstrom. The receiving data could be implemented by incorporating receiving identifier into first and expanded permanent identifiers. The motivation for using this capability would have been to transmit data anonymously, refer to Billstrom's col. 1 line 26-29 .

For claim 32, APA teaches in reference to fig. 1 (Prior Art) and paragraphs 0008-0016a method of receiving data in a mobile communication system, (APA teaches in reference to fig. 1 (Prior Art) and paragraphs 0008-0016, a system and process to transfer data in mobile communication system by opening a traffic channel to the destination entity, paragraph 0016), comprising:

receiving a modified first permanent identifier including a first portion includes routing information to a home system and a second portion that includes one portion of user generated data," (data is supplied by end user 2 is received by SS12 (Base Station or MSC) and first communication device 4 and transferred to destination entity 6, refer to fig. 1, paragraph 0016);and the second portion not being an identification number of a user;

(APA discloses first permanent identifier including first portion as routing information to a home system, such as mobile country code (MCC) and mobile network code (MNC), paragraphs 0008-0009, this first portion of identifier does not use identification, rather location or region identification, and second portion identifies end user 2 to home system 16, paragraph 0008). Note: Applicant claims "portion of received data" as part of first permanent identifier in addition to routing information to home system. Applicant does not specify type of data, (Electronic Serial Number, see specification APA para: [0010]; or MSIN (Mobile Station identification number assigned to end user, see specification APA paragraph: [0009]. Thus data is generic (broad definition) without type having been specified by applicant. Identification number of end user 2, as disclosed by APA in paragraph 0008 is a type of data in addition to routing information). Note: any data other than end user's ESN or MSIN, is disclosed by Billstrom, col. 1 lines 23-28, as follows);

However, Solomon (published on 9/5/1997) teaches 'receiving data', per se, in addition to header information, (which is standard) as explained below separately:

receiving a modified expanded second permanent identifier having a second permanent identifier portion and an expanded portion, the expanded portion including a second portion of user generated data.

(APA discloses expanded second permanent identifier, paragraph 0011, including three portion. The first two portions are the second permanent identifier, as claimed, such as electronic serial number of mobile communication device 4, paragraph 0013, and third portion represents unexpanded portion of second permanent identifier, which is associated with communication device 4 or being used by the end user 2, paragraphs 0010-0011. Note: Applicant claims "portion of receiving data" as part of expanded second permanent identifier in addition to second permanent identifier portion. This limitation (data) is the same as part of first permanent identifier. Applicant does not specify type of receiving data again, thus receiving data is generic without type. APA discloses third identification number as expanded portion of expanded second permanent identifier, paragraph 0012.

However, Solomon teaches 'receiving data', per se, in addition to header information, (which is standard) as explained below separately:

Solomon teaches receiving data (payload) in addition to routing information (header providing IP address) , virtual link (routing information) to Home Agent, page 54.

APA in view of Soloman does not teach the following limitation, which is disclosed by Willey, as follows:

"modified first permanent identifier---".(Willey discloses "modifier called Decorr, col. 13 lines 3-7).

APA in view of Soloman and Willey does not teach the following limitation, which is disclosed by Billstrom, as follows:

the expanded portion not being an identification number of the user (Billstrom teaches communication of data to or from the communication station is effectuated without necessitating that the communication station be uniquely identified with a permanent identifier unique to the communication station (same as not being identification information associated with the mobile communication system). refer to col. 1 lines 23-28).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to use the receiving address as portion of first permanent identifier and expanded permanent identifier, as taught by APA and Solomon respectively, and "modified first permanent identifier---"., as taught by Willey. The receiving data could be implemented by incorporating receiving identifier into first and expanded permanent identifiers. The motivation for using this capability would have been to transmit data more efficiently than lengthy process of requesting and establishing a traffic channel.

Further, it would have been obvious to modify APA in view of Soloman and Willey's system by limitation, the expanded portion not being an identification number of the user", as taught by Billstrom. The receiving data could be implemented by incorporating receiving identifier into first and expanded permanent identifiers. The

motivation for using this capability would have been to transmit data anonymously, refer to Billstrom's col. 1 line 26-29 .

For claims 2-3, APA in view of Solomon Willey and Billstrom, discloses all limitations of subject matter, as applied to claim 1, as above.

In addition, APA disclose the following limitations:

Wherein the step a) receives data from a user of the communication device (see claim 2); (data is supplied by end user 2 using first communication device 4, paragraph 0016);

Wherein the step a) receives data from an user system including or connected to the communication device (see claim 3); (data is supplied by end user 2 connected to communication device 4) using first communication device 4, paragraph 0016 and fig. 1);

APA does not teach following limitations, which are disclosed by Solomon, as follows:

Solomon teaches receiving data (payload) in addition to routing information (header providing IP address), virtual link (routing information) to Home Agent, page 54.

It would have been obvious to the person of ordinary skill in the art at the time of the invention to use the receiving address as portion of first permanent identifier and expanded permanent identifier, as taught by APA and Solomon. The receiving data could be implemented by incorporating receiving identifier into first and expanded

permanent identifiers. The motivation for using this capability was to transmit data more efficiently than lengthy process of requesting and establishing a traffic channel.

For claim 11, APA in view of Solomon, Willey and Billstrom discloses all limitations of subject matter, as applied to claim 1, as above.

In addition, APA disclose the following limitations:

wherein the forming a --- first permanent identifier step forms the modified first permanent identifier to further include destination entity routing information indicating to which destination entity to route the first permanent identifier (APA teach first and second permanent identifiers, paragraph 0015; further, teaches, destination entity, APA ' paragraph 0016 (background)).

For claims 4-10, APA in view of Solomon, Willey and Billstrom, teaches all the limitations of subject matter, as applied to claim 1 for claims 4 and 7-10 respectively; claims 1 and 4 for claims 5-6 respectively.

In addition, APA teaches for claims 4-10, as follows:

wherein the communication device is a mobile station (see claim 4), (APA paragraph 0004).

wherein the routing information includes a mobile country code and a mobile network code, (see claim 5), (APA paragraph 0009).

wherein the--- expanded second permanent identifier is an expanded electronic serial number of the mobile station (see claim 6) . (paragraph 0010).

wherein the--- expanded second permanent identifier is associated with at least a part of the communication device (see claim 7). (APA teaches, the expanded second permanent identifier includes second permanent identifier ,which is electronic serial number (ESN) associated with at least a part of the communication device, paragraph 0010).

wherein the routing information includes a mobile country code and a mobile network code (see claim 8). (paragraph 0008).

wherein the communication device forms part of a wireless communication system (see claim 9). (paragraph 0003 and fig. 1)..

wherein the communication device forms part of a wireline communication system (see claim 10). (APA teaches, communication device as part of wireline communication system, paragraph 0005 and fig. 1).

For claim 12, APA in view of Solomon, Willey and Billstrom discloses all the limitations of subject matter, as applied to claim 11, with the exception of the following limitations which are disclosed by Solomon, as follows:

wherein the forming a--- expanded permanent identifier step forms the expanded portion to further include destination entity routing information indicating to which destination entity to route the expanded second permanent identifier (Solomon teaches

header called original IP Packet, page 54 and fig. 4-2, which includes "ultimate destination" is part of expanded portion of expanded permanent identifier. This ultimate destination means destination entity, as claimed).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to include the expanded portion to further include destination entity routing information indicating to which destination entity to route the expanded second permanent identifier as taught by Solomon. This capability could be implemented in the expanded portion of the expanded second permanent identifier of APA. The motivation for using this capability was to transmit data more efficiently than lengthy process of requesting and establishing a traffic channel.

For claim 29, APA in view of Solomon, Willey and Billstrom discloses all the limitations of subject matter, as applied to claim 1, in addition, the following limitations are disclosed by Solomon, as follows:

wherein the received data is not used to validate an end user of the communication device (Solomon teaches header called original IP Packet, page 54 and fig. 4-2, which includes "received data is not used to validate an end user of the communication device" is part of expanded portion of expanded permanent identifier.

It would have been obvious to the person of ordinary skill in the art at the time of the invention to include the received data is not used to validate an end user of the communication device as taught by Solomon. This capability could be implemented in the expanded portion of the expanded second permanent identifier of APA. The

motivation for using this capability was to transmit data more efficiently than lengthy process of requesting and establishing a traffic channel.

For claim 30, APA in view of Solomon, Willey and Billstrom discloses all the limitations of subject matter, as applied to claim 1, in addition, the following limitations are disclosed by Solomon, as follows:

wherein the received data is not identification information associated with the communication device or an end user of the communication device. (Solomon teaches header called original IP Packet, page 54 and fig. 4-2, which includes "the received data is not identification information associated with the communication device or an end user of the communication device" is part of expanded portion of expanded permanent identifier.

It would have been obvious to the person of ordinary skill in the art at the time of the invention to include "the received data is not identification information associated with the communication device or an end user of the communication device" as taught by Solomon. This capability could be implemented in the expanded portion of the expanded second permanent identifier of APA. The motivation for using this capability was to transmit data more efficiently than lengthy process of requesting and establishing a traffic channel.

Allowable Subject Matter

6. Claims 13-28 and 31 are allowed.

Response to Arguments

7. Applicant's arguments with respect to claims 1-32 have been considered but are not persuasive in view of the new ground(s) of rejection, as follow:

Applicant's argument

Rejections under 35 U.S.C. § 112

Applicant argues that the Examiner has rejected claims 1-12 and 29-30 and 32 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. As stated above, Applicants have amended independent claim 1 to further clarify its features. Amended claim 1 recites "forming a modified first permanent identifier including a first portion that includes routing information to a home system and a second portion that includes one portion of the received data, the second portion not being an identification number of a user." This feature is supported by paragraph [0029] of the application as filed, which is reproduced below.

[0029]The first portion of the modified first permanent identifier contains the routing information to the home system 16, but the second portion or a part thereof, which normally includes the user identification number pre-assigned by the home system 16, includes data from the end user 2.

As clearly recited in paragraph [0029], a first portion of the first permanent identifier includes routing information and a second portion includes data received from the end user. Also, as clearly recited in paragraph [0029], the second portion does not include a user identification number, but rather data received from the end user.

Therefore, Applicants submit that the first and second portions of the first permanent identifier are clearly supported by paragraph [0029].

Further, claim 1 also recites "forming a modified expanded second permanent identifier having a second permanent identifier portion and an expanded portion, the expanded portion including a second portion of the received data, the expanded portion not being an identification number of the user." This feature is supported by paragraph [0030] of the application as filed, which is reproduced below.

[0030]The first portion of the modified expanded second permanent identifier includes the pre-established code to trigger the expanded second permanent identifier, and the second portion includes an identification number as did the conventional expanded second permanent identifier. However, the third or expanded portion of the modified expanded second permanent identifier, which normally includes another identification number, includes data from the end user 2.

The "expanded portion" of the second permanent identifier is clearly supported by paragraph [0030] because paragraph [0030] states that the "expanded portion of the modified expanded second permanent identifier, which normally includes another identification number, includes data from the end user 2."

Furthermore, Applicants submit that original claims 29-30 are adequately supported by the specification within the meaning of 35 U.S.C. §112, first paragraph. For example, as the Examiner should know, the claims are part of the application as filed. Claims 29-30 were originally filed with the application on June 25, 2009. Therefore, claims 29-30 themselves provide adequate support within the meaning of 35

U.S.C. §112, first paragraph. As a result, Applicants respectfully request this rejection be withdrawn.

Examiner's response

In response, Examiner states that paragraph [0019] discloses, "Based on the expanded permanent identifier, a home system can recognize the end user associated with a received first and expanded permanent identifier pair, and at least in accordance with this recognition, sends the first and expanded permanent identifier to destination entity (human, system or machine). The destination entity extracts the data from the first and expanded permanent identifier".

Paragraph [0031] discloses, "And, when the EESN is the expanded second permanent identifier, the modified EESN has the format given below:

$$\text{EESN (56 bits)} = \text{ESN (32 bits)} + \text{ESN-expansion (24 bits)}$$

$$\text{ESN (32 bits)} = \text{manufacturer's code of 128 (8 bits)} + \text{identification.}$$

From all above paragraph, it is explicit that limitation of claims 1 and 32, such as, "--- second portions not being an identification number of a user" negates disclosure "--- second portion or a part thereof, which normally includes the user identification number pre-assigned by the home system 16--", see paragraph [0029]. Appropriate correction to specification is required

However, this new limitation, such as, "---second portion not being an identification number of a user---" is disclosed explicitly by Billstrom, refer to col. 1 lines 23-28.

Applicant's argument

As stated during the interview, Applicants disagree with the Examiner's reliance upon the APA. For example, in contrast to the Examiner's assertions, Applicants do not believe that the APA discloses or suggests "forming a modified permanent identifier including a portion that includes routing information to a home system and a second portion that includes one portion of the received data." In relying on the APA, the Examiner states "[a]pplicant does not specify type of data, thus data is generic (broad definition) without type [and] [the] identification number of end user 2, as disclosed by APA in paragraph 0008 is a type of data in addition to routing information." See Office Action, pages 5-6. The "second portion that includes one portion of the received data" of claim 1 cannot possibly be the "identification number of end user 2" as indicated by the Examiner because claim 1 explicitly states that "the second portion [is] not being an identification number of a user." This limitation directly excludes the art described in the background section of the present application. Further, the APA does not disclose "forming a modified expanded second permanent identifier having a second permanent identifier portion and an expanded portion" where the "expanded portion [is] not being an identification number of the user" as recited in claim 1 for the same reasons discussed above. Therefore, the APA does not disclose or suggest these features. Solomon and Willey are not related to these features for at least the same reasons discussed in Applicants' previous response. In addition, Billstrom fails to overcome these deficiencies as well. For example, column 1, lines 23-28 of BiUstrom states

"communication of data to or from the communication station is effectuated without necessitating that the communication station be uniquely identified with a permanent identifier unique to the communication station." In other words, Billstrom discloses a system that provides a mobile station with anonymous access to packet radio services. By the system in BiUstrom that allows the mobile station to remain anonymous does not suggest forming first and second 1 permanent identifiers to include actual data that is not identification numbers associated with a user. As a result, APA, Solomon, Willey, and Billstrom, alone or in combination cannot render independent claim 1 obvious to one of ordinary skill in the art. Claims 2-12 and 29-30, dependent on claim 1, are patentable for at least the same reasons stated above. Also, independent claim 32 has been amended to include features similar to the above-recited features of claim 1, and therefore is patentable for at least the same reasons. As such, Applicants respectfully request Examiner's response

Examiner's response

In response, Examiner states that amended limitation in claims 1 and 32 are not supported by paragraphs [0029-0030]. Refer to claim 1, lines 5-6. Limitation "the second portion not being identification number of a user" is not supported by specifications. Paragraphs [0029-0031], as quoted and reproduced by applicant, do not teach this limitation. This limitation pertains to "forming a modified expanded second permanent identifier having a second identifier portion and expanded portion----". in which case, please, refer to paragraph [0030], wherein specification discloses, "The first

portion of the modified expanded second permanent identifier includes the pre-established code to trigger the expanded second permanent identifier, and the second portion includes an identification number as did the conventional expanded second permanent identifier" which includes data from the end user 2. Accordingly, first portion includes the pre-established code to trigger the expanded second permanent identifier, and the second portion includes an identification number as did the conventional expanded second permanent identifier". It includes data from end user 2, but normally includes another identification number.

In addition to these paragraphs, refer to paragraphs [0018-0019], wherein specification discloses in para: [0018] -----"The expanded portion of the expanded permanent identifier includes data, and another portion thereof, associated in some manner with the end user, serves to identify the end user, see para: [0018]. Essentially, data from end user identifies end user. Limitation claimed by applicant , such as, "the second portion not being identification number of a user" is not supported by specifications. "A communication device in the mobile communication system used by the end user sends the expanded permanent identifier and the first permanent identifier, both destined for the home system. It emphasizes the fact that data sent by end user essentially identifies end user.

Further, paragraph [0019] discloses, "Based on the expanded permanent identifier, a home system can recognize the end user associated with a received first and expanded permanent identifier pair, and at least in accordance with this recognition, sends the first and expanded permanent identifier to destination entity (human, system

or machine). The destination entity extracts the data from the first and expanded permanent identifier”.

Paragraph [0031] discloses, “And, when the EESN is the expanded second permanent identifier, the modified EESN has the format given below:

EESN (56 bits) = ESN (32 bits) + ESN-expansion (24 bits)

ESN (32 bits) = manufacturer’s code of 128 (8 bits) + identification. In other words, limitation “second portion not being identification number” is not supported by specification.

In response, examiner, further, states that Willey discloses “modifier called Decorr to IMSI, refer to col. 13 lines 3-7. Note: IMSI is the first permanent identifier (refer to paragraph 0009 of specification of instant application.

In light of above explanation, arguments by applicant are not persuasive.

8. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed toINDER P. MEHRA whose telephone number is (571)272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 571-272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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All of Applicant's arguments have been responded and in light of above explanation, arguments by applicant are not persuasive.

/Nghi H. Ly/

Primary Examiner, Art Unit 2617

/Inder P Mehra/

Examiner, Art Unit 2617